

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 7 and 8 are pending in this application. Claims 1, 4, and 6 are canceled without prejudice or disclaimer, and Claims 7 and 8 are added by the present amendment.

Added claims find support in the specification as originally filed, at least at page 5, lines 4-26. Thus, no new matter is added.

In the outstanding Office Action, Claim 1 was rejected under 35 U.S.C. § 112, second paragraph; Claims 1 and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Harel et al. (U.S. Patent 6,128,472; herein "Harel") in view of Gosselin (WO 01/65885); and Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Harel in view of Gosselin and Kall et al. (U.S. Patent 7,149,195; herein "Kall"). Applicants respectfully submit that the rejections are rendered moot by the cancellation of Claims 1, 4, and 6.

In addition, Applicants respectfully submit that added Claims 7 and 8 patentably define over Harel, Gosselin, and Kall.

Claim 8 is directed to a method of communicating in a communication system that includes a base station and plural mobile stations. The method includes receiving, at a mobile station in the plural mobile stations, a common control signal from the base station; creating, at the mobile station, a response signal in response to the common control signal; holding the response signal at the mobile station for a random duration; and transmitting the response signal to the base station after the random duration.

Further, the method includes receiving, at the base station, plural response signals from plural mobile stations included in a multicast group, the number of the plural response signals is at least one; receiving subsequent response signals from other of the plural mobile stations not included in the multicast group; transferring only the plural response signals received from the plural mobile stations included in the multicast group; and retaining the

subsequent response signals received from the other of the plural mobile stations not included in the multicast group. Claim 7 is directed to a communication system including a base station and mobile stations configured to perform functions similar to those of the steps of Claim 8.

Applicants respectfully submit that Harel, Gosselin, and Kall fail to teach or suggest each of the features of Claim 7 or Claim 8. For example, it is respectfully submitted that the references fail to teach or suggest creating, at a mobile station, a response signal in response to a common control signal, holding the response signal at the mobile station for a random duration, and transmitting the response signal to a base station after the random duration.

Harel discusses a central message management system 310 system that receives messages from plural TX/RX sites 108/110 (i.e., base stations), where “the central base station controller 112 has a capacity for receiving only one inbound message from an SU during each time slot.”¹ The message management system 310 of Harel includes a message manager 320 and plural message processors 330. According to Harel, “[t]he message manager will direct exactly one selected message from the multicast message group to the central base station controller 112,” while the remaining messages are diverted to a message processor.² In other words, according to Harel, the central base station controller 112 (i.e., common radio network controller) receives “exactly one selected message from the multicast group.” However, Harel is silent regarding holding a response signal at a mobile station for a random duration.

Accordingly, Applicants respectfully submit that Harel fails to teach or suggest “holding the response signal at the mobile station for a random duration,” as required by Claim 8, and as similarly required by Claim 7.

¹ Harel at column 4, lines 1-4.

² Harel at column 4, lines 43-47.

Gosselin describes transmitting outbound messages to progressively larger numbers of devices until a first response is received from a target wireless communication device, and Applicants respectfully submit that Gosselin is silent regarding any random duration, and Gosselin is silent regarding holding a response signal for a random duration. Accordingly, it is respectfully submitted that Gosselin also fails to teach or suggest “holding the response signal at the mobile station for a random duration,” as required by Claim 8, and as similarly required by Claim 7.

Kall fails to supply the claim features lacking in the disclosures of Harel and Gosselin. Kall describes a radio network controller that counts a number of mobile users that request a download of multicast data.³ Based on a threshold determination, the system of Kall determines whether the download data is transmitted to the mobile users according to a unicast protocol or a RANcast protocol.⁴ In other words, in the system of Kall, the radio network controller 36 receives and counts all the “response signals” (i.e., counts a number of requests for download of multicast data) from all of the mobile users in the multicast group. However, Kall is silent regarding any random duration, and therefore, Kall is also silent regarding holding a response signal for a random duration.

Accordingly, Applicants respectfully submit that Harel, Gosselin, and Kall fail to teach or suggest “holding the response signal at the mobile station for a random duration,” as required by Claim 8, and as similarly required by Claim 7.

Accordingly, Applicants respectfully submit that independent Claims 7 and 8 are allowable.

³ Kall at column 5, line 66 to column 6, line 2.

⁴ Kall at column 6, lines 7-11 and 24-29.

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present application, including Claims 7 and 8, is patentably distinguished over the prior art, and therefore in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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